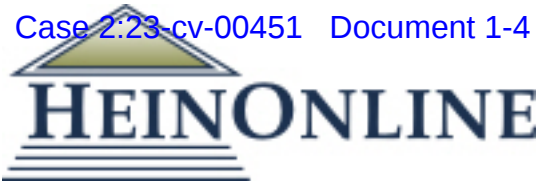


EXHIBIT 4



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Citations:

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Bluebook 21st ed.

James J. Mayfield. Code of Alabama, Adopted by Act of the Legislature of Alabama; Approved July 27, 1907 (1907).

ALWD 7th ed.

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APA 7th ed.

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McGill Guide 9th ed.

James J. Mayfield, Code of Alabama, Adopted by Act of the Legislature of Alabama; Approved July 27, 1907 (+ Supplement, Nashville, Tenn: Marshall & Bruce., 1907)

AGLC 4th ed.

James J. Mayfield, Code of Alabama, Adopted by Act of the Legislature of Alabama; Approved July 27, 1907 (Marshall & Bruce., 1907)

MLA 9th ed.

Mayfield, James J. Code of Alabama, Adopted by Act of the Legislature of Alabama; Approved July 27, 1907. + Supplement, Nashville, Tenn, Marshall & Bruce. HeinOnline.

OSCOLA 4th ed.

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THE CODE OF ALABAMA,

ADOPTED BY ACT OF THE LEGISLATURE OF ALABAMA;
APPROVED

JULY 27, 1907,

ENTITLED

“AN ACT TO ADOPT A CODE OF LAWS FOR THE STATE OF ALABAMA,”

WITH SUCH STATUTES PASSED AT THE SESSION OF 1907 AS ARE REQUIRED
TO BE INCORPORATED HEREIN BY ACT APPROVED JULY 27, 1907 (ACTS
1907, PAGE 499); AND WITH CITATIONS TO DECISIONS OF THE
SUPREME COURT OF THE STATE CONSTRUING OR MENTION-
ING THE STATUTES; AND REFERENCES TO ALL FOR-
MER ACTS OF THE LEGISLATURE, AND TO ALL
FORMER CODES, DIGESTS, AND COMPILATIONS
OF STATUTES, SHOWING THE ORIGIN,
HISTORY AND TRANSITION OF
THE STATUTES.

IN THREE VOLUMES.
VOL. III. — CRIMINAL.

PREPARED BY
JAMES J. MAYFIELD,
CODE COMMISSIONER.

NASHVILLE, TENN.:
MARSHALL & BRUCE COMPANY
PRINTERS AND BINDERS.
1907.

CHAPTER 189.

CONSPIRACY. 6470-6472.

SECTION.

6470. Conspiracy to commit felony.

6471. Conspiracy to commit misdemeanor.

SECTION.

6472. Conspiracy formed in this state to commit crime elsewhere indictable here.

6470. (4428) (4007) (4152) (3591) (50) Conspiracy to commit felony.—Any two or more persons, conspiring together to commit a felony, must each, on conviction, be fined not more than one thousand dollars, and may also be imprisoned in the county jail, or sentenced to hard labor for the county, for not more than six months. (Form 36 [30].)

(Clay's Digest, pp. 430, 431, § § 23 and 24.) Conspiracy to unlawfully burn a cornerib containing corn.—Thomas v. State, 116 Ala. 461 (22 So. 666).

6471. (4429) (4008) (4153) (3592) (51) Conspiracy to commit misdemeanor.—Any two or more persons, conspiring together to commit a misdemeanor, must each, on conviction, be fined not more than five hundred dollars, and may also be imprisoned in the county jail or sentenced to hard labor for the county for not more than three months. (Form 36 [30].)

Conspiracy to whip a third person, declarations of conspirators after commission of offense not admissble.—Everage v. State, 113 Ala. 102 (21 So. 404). **Conspiracy defined.**—Murphy's case, 6 Ala. 765. Unlawful agreement is gist of offense, though nothing be done.—Cawood's case, 2 Stew. 360. To seduce a virtuous female.—Murphy's case, 6 Ala. 765. Agreement between a man and woman to commit adultery is **not a conspiracy**.—Miles's case, 58 Ala. 390. To commit misdemeanor is not merged into the offense, but indictment may be framed to convict of either.—Murphy's case, 6 Ala. 765. May be proved circumstantially without positive agreement or meeting of conspirators.—Johnson's case, 29 Ala. 62; Scott's case, 30 Ala. 503; Marler's case, 67 Ala. 66. Established by testimony of accomplice, if his statement connecting defendant with the offense is corroborated.—Marler's case, 67 Ala. 66. What said and done by one in presence of others, while committing the offense, admissible against all.—Smith's case, 52 Ala. 407. Motion in arrest of judgment allowable to one or more, in absence of others.—Covington's case, 4 Ala. 603. The conspiracy is a complete offense within itself, and no act in consummation thereof is necessary.—Thompson's case, 106 Ala. 67 (17 So. 412). A conspiracy in this state to commit a felony in another state is indictable.—Thompson's case, 106 Ala. 67 (17 So. 412). Indictment charging that defendants conspired together to unlawfully take a thousand dollars in money, the property of J. H., from his person, and against his will, by violence to his person, or by putting him in fear, as to unwillingly part with it," is sufficient.—Ib. When declaration and conduct of one evidence against others.—McAnnally's case, 74 Ala. 9; Williams's case, 81 Ala. 1 (1 So. 179); Amos's case, 83 Ala. 1 (3 So. 749); Johnson's case, 87 Ala. 39 (6 So. 400); Martin's case, 89 Ala. 115 (8 So. 23); Gibson's case, 89 Ala. 121 (8 So. 98); Tanner's case, 92 Ala. 1 (9 So. 613); Tally's case, 102 Ala. 25 (15 So. 722). Liability of each for acts of others.—Pierson's case, 99 Ala. 143 (13 So. 550); Ex parte Bonner, 100 Ala. 114 (14 So. 648); Ex parte Tally, 102 Ala. 25 (15 So. 722). Conspiracy

must be established before responsibility ensues.—Turner's case, 97 Ala. 57 (12 So. 54); Bonner's case, 100 Ala. 114 (14 So. 648). Positive or direct proof not necessary to establish.—Martin's case, 89 Ala. 115 (8 So. 23); Gibson's case, 89 Ala. 121 (8 So. 98); Tanner's case, 92 Ala. 1 (9 So. 613); Jolly's case, 94 Ala. 19 (10 So. 606); Elmore's case, 110 Ala. 63 (20 So. 323).

6472. (4430) Conspiracy formed in this state to commit crime elsewhere indictable here.—A conspiracy formed in this state to do an act beyond the state, which, if done in this state, would be a criminal offense, is indictable and punishable in this state in all respects as if such conspiracy had been to do such act in this state.

Thompson's case, 106 Ala. 67 (17 So. 512).

CROSS REFERENCES.

CONSPIRACY (Criminal Code)	6219, 6220, 6310, 6470-6472, 7388, 7749
CONSTABLES (Civil Code)	3324-3333
CONSTITUTION (Political Code)	436-438, 390- 392
CONSTITUTION OF UNITED STATES , see Political Code, pp. 149-216.	
CONSTITUTION OF STATE 1875 and 1901 , see Criminal Code, Preliminary Matter.	
CONSTRUCTION (Political Code)	1- 11
" (Civil Code)	3396-3440
CONSUMPTIVES CARED FOR (Political Code)	771- 792
CONTAGIOUS DISEASES (Health and Quarantine) (Political Code)	698- 792
CONTESTED ELECTIONS (Elections) (Political Code)	455- 491
CONTEMPTS (Civil Code)	4630-4632
" (Criminal Code)	6993, 6995, 7032, 7038, 7534
CONTINGENT FUND (Political Code)	608, 1780
CONTINGENT REMAINDER (Civil Code)	3398-3401
CONTINUANCES (Civil Code)	3126
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CONTRACTOR (Civil Code)	4754-4783
CONTRACTS TO CONVEY LAND (Civil Code)	3441-3444

CHAPTER 190.

CONTRACTS. 6473-6478.

SECTION.

- 6473. Future contract prohibited, penalty for.
- 6474. Future contracts made in another state, penalty for.
- 6475. Carrying on business of dealing in futures; penalty for.
- 6476. Witnesses, evidence, prima facie of guilt.

SECTION.

- 6477. Office or place of business where information of fluctuating prices is posted or published, prima facie evidence of guilt.
- 6478. When effective.

6473. Future contract prohibited, penalty for.—If any person shall become a party to any contract for the sale and future